

REMARKS

Claims 1-19 remain pending in this application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

Claims 1-6, 8, 10, and 12-19 stand rejected under 35 U.S.C. § 102(e) as anticipated by Kraus et al. (U.S. Patent No. 5,555,459).

Independent claim 1 recites a device comprising “a communication arrangement” and “a housing enclosing the communication arrangement, the housing having an opening formed therein” in combination with “*a cover mounted over the opening in the housing, the cover including a peripheral housing contacting portion which extends around the opening*” and “*an antenna mounted within the housing contacting portion of the cover* and spaced from the housing so that the antenna and the opening cooperate to handle signals for the communication arrangement.”

Kraus et al. discloses a device that comprises a communication arrangement within a housing and an antenna, which is enclosed within a dielectric cover that is attached to a snap-on cowl piece that “serves to retain an optical window covering an elongated generally rectangular opening at the front housing.” (col. 14, lines 59-62). The Applicant respectfully disagrees with the Examiner’s suggestion that “the dielectric cover is mounted over the opening.” (Office Action, Aug. 1, 2003, p. 3). Instead, the snap-on cowl piece, and not the dielectric cover, is positioned over the opening as shown in Figs. 32 and 33. Furthermore, the snap-on cowl piece only extends over the top and bottom of the opening and not “around the opening” as recited in claim 1. (See Figs. 32 and 33). In addition, the antenna is separate from the snap-on cowl piece and is not “mounted within the housing contacting portion of the cover” and is instead housed within the dielectric cover. Thus, the dielectric cover is not “mounted over the opening in the housing” and does not include “a peripheral housing contacting portion which extends around the

opening” as recited in claim 1.

It is therefore respectfully submitted that claim 1 is not anticipated by Kraus et al. and that this rejection should be withdrawn. Because claims 8, 10, and 12-17 depend from and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Independent claim 18 recites a device comprising “a module having an opening formed therein, the module including an antenna mounted therein and adjacent to the opening, *the antenna mounted within an integrally formed substantially non-conductive portion of the module*, the antenna spaced from a substantially conductive portion of the module so that the antenna and the opening cooperate to handle communication signals.”

In contrast, Kraus et al. teaches an antenna that is enclosed by a dielectric cover that is attached to a snap-on cowl piece. Kraus et al. does not disclose the antenna housed “within an integrally formed substantially non-conductive portion of the module” as recited in claim 1. Instead, the antenna is housed within the dielectric cover that is structurally separate from the snap-on cowl piece, which attaches to the dielectric cover to the device. Fig. 33 clearly shows that the antenna and the snap-on cowl piece are two structurally separate pieces. It is therefore respectfully submitted that claim 18 is not anticipated by Kraus et al. and that this rejection should be withdrawn.

Independent claim 19 recites a device comprising “a communication arrangement communicating with a communication base station using a wireless communication protocol” within “a housing enclosing the communication arrangement, the housing having an opening formed therein” and “a cover mounted over the opening in the housing and being composed of a substantially non-electrically conductive material, *the cover including a peripheral housing contacting portion which extends around the opening*” with an “*an antenna (I) mounted within the housing contacting portion of the cover*, (ii) spaced from the housing and (iii) free from

physical contact with the housing so that the antenna and the opening cooperate to handle signals for the communication arrangement” and “a processing arrangement situated within the housing and coupled to the communication arrangement, the processing arrangement processing the signals.”

For the reasons discussed above in regards to claim 1, Kraus et al. does not teach “an antenna (I) mounted within the housing contacting portion of the cover” nor a cover within which the antenna is mounted that “extends around the opening.” It is therefore respectfully submitted that claim 19 is not anticipated by Kraus et al. and that this rejection should be withdrawn.

Claims 7 stands rejected under 35 U.S.C. § 103 as obvious over Kraus et al. in view of Nguyen et al. (U.S. Patent No. 4,940,992). The Examiner cites Nguyen et al. to cure the deficiency of Kraus et al., namely the failure to teach that the opening of the housing is a half of the wavelength of the signals at a frequency of operation, and that the opening also operates as a loop antenna.

Nguyen et al. only teaches a system and method for utilizing the opening of the housing as an antenna and placing the antenna half of the wavelength away from the housing. However, Nguyen et al. fails to cure the deficiency of Kraus et al. discussed above. Nguyen et al. neither teaches or suggests an antenna “mounted within the housing contacting portion of the cover” nor “a peripheral housing contacting portion which extends around the opening” as recited in claim 1.

It is therefore respectfully submitted that claim 7 is not rendered obvious by Kraus et al., and Nguyen et al., either taken alone or in combination, and that this rejection should be withdrawn.

Claims 9 stands rejected under 35 U.S.C. § 103 as obvious over Kraus et al. in view of Ishikawa (U.S. Patent No. 5,162,640). The Examiner cites Ishikawa to cure the deficiency of

Kraus et al., namely the failure to teach that the housing is composed of an electrically conductive material.

Ishikawa merely teaches a pen-type optical reading device including a metal-made outer case. That device, however, is not even capable of utilizing an antenna, therefore, Ishikawa fails to cure the deficiency of Kraus et al. discussed above in regards to claim 1, from which claim 9 depends. Ishikawa neither teaches or suggests an antenna “mounted within the housing contacting portion of the cover” nor “a peripheral housing contacting portion which extends around the opening” as recited in claim 1.

It is therefore respectfully submitted that claim 9 is not rendered obvious by Kraus et al., and Ishikawa, either taken alone or in combination, and that this rejection should be withdrawn.

Claims 11 stands rejected under 35 U.S.C. § 103 as obvious over Kraus et al. in view of Knowles (U.S. Patent No. 4,805,175). The Examiner cites Knowles to cure the deficiency of Kraus et al., namely the failure to teach that the housing is composed of plastic or glass material.

Knowles merely teaches an ultra-compact hand-held laser scanner including a window formed of an anti-reflective, wavelength selective glass or another type of beam transparent material. That device, however, is not intended for transmitting or receiving radio frequency signals, hence it has no need for an antenna. Therefore, Knowles also fails to cure the deficiency of Kraus et al. discussed above in regards to claim 1, from which claim 11 depends. Knowles neither teaches or suggests an antenna “mounted within the housing contacting portion of the cover” nor “a peripheral housing contacting portion which extends around the opening” as recited in claim 1.

It is therefore respectfully submitted that claim 11 is not rendered obvious by Kraus et al., and Ishikawa, either taken alone or in combination, and that this rejection should be withdrawn.

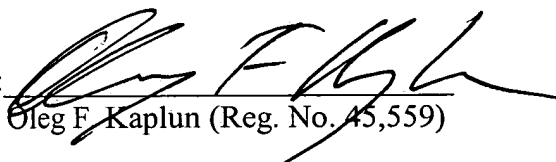
It is therefore respectfully submitted that all of the presently pending claims are allowable. A prompt and favorable action on the merits is earnestly solicited. The Examiner is invited to contact the undersigned at (212) 619-6000, ext. 202 to discuss any matter concerning this application.

Respectfully submitted,

Dated:

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